

OHCHR

A: Addressing the increase in Human Trafficking viewed worldwide.

INTRODUCTION

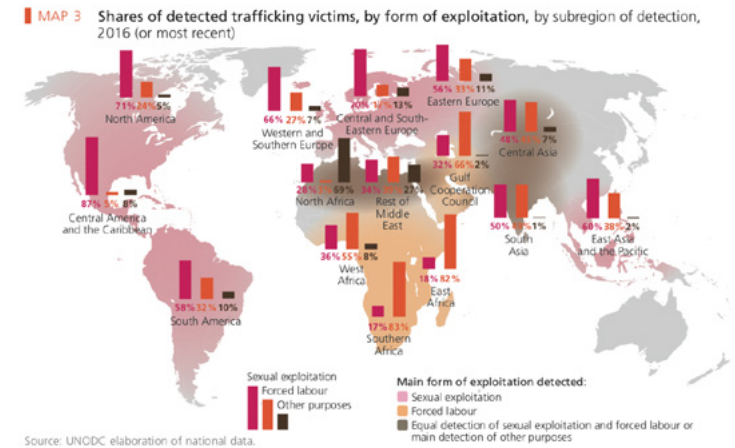
The Office of the United Nations High Commissioner of Human Rights (OHCHR) is an organ within the United Nations; it is in charge of promoting, protecting human rights, and dealing with human rights violations around the world. It was founded on December 20th, 1993; it supervises the three main pillars of the United Nations: peace and security, human rights and development. The OHCHR counts with 1,300 people, and 18 members. Its headquarters are located in Ginebra, Switzerland.

Human trafficking is a multi-billion dollar enterprise and a serious problem that has increased through time. It is one of the fastest-growing illicit industries in the world, but there is very few concern about what it is about and which factors are related. "Human trafficking is generally understood to refer to the process through which individuals are placed or maintained in an

exploitative situation for economic gain" (OHCHR, 2014). This kind of situation acts against the wellbeing of an individual and violates human rights.

There are various reasons why human trafficking is carried out. Some of which is the need of more workers, using less economical resources in companies or farms; and the necessity of having a greater amount of people working in place of prostitution, forced jobs in illegal business, and so on. This also involves people unwillingly getting married or performing sexual work. Inside or outside any country, human trafficking can occur, and this one can affect any nation, regardless of its location or its type of government. But it not only focuses on forced labor but also implies having the organs of such individuals harvested. In order to make the topic more understandable, the causes and consequences of it must be known.

The origins of human trafficking come back from slavery. According to The Abolition Project (n.d.), slavery is "a condition in which individuals are owned by others, who control where they live and at what they work". Slavery has existed since the early records of humanity.



In the mid-1800s, thousands of African slaves were imported, leading to the banning of the slave trade. In 1981, modern slavery was introduced, it meant that now a master-slave relationship existed (legal ownership). Since then, human trafficking took a major impulse, where people have illegal control over others.

Human trafficking is mainly carried due to a threat towards the victims, abduction, coercion, fraud, abuse of capacity, money, and deception. It was developed with the intention of dealing with the demand for handwork from businesses, companies, farms, among others. The traffic of people has increased considerably during the last decades; and, according to Ochab (2017), human trafficking is “the world’s fastest-growing crime”. Based on a study carried by Sage Publications (2018), “the number of people trafficked across international borders every year is approximately 800,000”.

Human trafficking happens in every country, but some present a higher percentage than others. Iranian citizens have shown to be vulnerable to trafficking, mainly in the form of prostitution and for sexual purposes. North Korea also presents a large amount of individuals who are victims of sex trafficking and forced

labor. The developing political system in the Central African Republic has to lead to the trafficking of men, women, and children. Nowadays, Syria has an ongoing armed conflict, causing Syrians to go to refugee camps, increasing the vulnerability of becoming victims of human trafficking. More than 5 million migrants in Russia have working conditions that make them vulnerable to trafficking.

This affects the economy and citizens of each nation. People who are trafficked for sexual purposes have a high risk of acquiring HIV/AIDS and many other sexually transmitted diseases, as well as other infections. National security is also affected, due that individuals are exposed to trafficking and can easily become victims. The economic impact that countries faced is, primarily, loss of human resources, reducing forthcoming productivity. Human trafficking ends up affecting families, victims, and nations (developed and developing ones).

Figure 1. Shares of detected trafficking victims, by the form of exploitation, by sub region of detection, 2016 (or most recent). Adapted from “UNODC”, by UNODC, 2018, UNODC. Retrieved on March 15, 2019, from <https://www.unodc.org/>

unodc.org/documents/data-and-analysis/glotip/2018/GLOTiP_2018_BOOK_web_small.pdf . Copyright 2018 by United Nations.

There are different averages of ages for the trafficking of people. “The average age of an identified victim of trafficking is 26 years old (at the time of assistance), and half of those identified are between 18 and 34 years old. The average age of victims identified in 2015–2016 was 29 years old, with male victims being, on average, older than female victims. At least 16 percent of identified victims in the same period were children. On average, a victim is trafficked for approximately two years, therefore the average age of entry into trafficking is below 26 years” (Migration Data Portal, 2019).

HISTORICAL BACKGROUND

Human trafficking has been a global issue since many years ago, therefore it has been increasing and changing depending on the world’s evolution and development. Throughout time, the methods to carry human trafficking have changed. Deception is the principal tactic used to exploit victims, it includes seduction; fake job, educational, or travel opportunities;

abduction; family; and recruitment. People with few resources and connections are usually the prone victims of human trafficking since they can easily not be recognized by law service providers, making it harder to end this issue.

Slavery is identified as the beginning of human trafficking. On January 1st, 1654, John Casar was known as the first legal slave. In 1807, Thomas Jefferson proposed the “The Act Prohibiting Importation of Slaves”, a United States law that declares the prohibition of slave importation in the United States of America. In 1863, the President of the United States of America, Abraham Lincoln, established “The Emancipation Proclamation”, in order to protect citizens and their rights. Although some agreements and conventions have been signed, slavery still exists.

The human trafficking was first introduced as white enslavement. “The 1904 International Agreement for the Suppression of White Slave Traffic 3” was a document that presented for the first time the term “trafficking” to denote the cross-border movement of white women and girls by force, deceit or drugs for the purposes of commercial sexual exploitation (Doezema,

1999). In 1910, the US Congress passed the White Slave Traffic Act 1 which is also known as the Mann Act. The principal purpose of such act was to maintain the morality and purity of white women by prohibiting women from crossing state lines for immoral purposes. On September 25, 1926, the United Nations Slavery Convention was signed in Geneva.

High Contracting Parties agreed that the slave trade should be prevented and suppressed, as well as having slavery and its trade abolished. Later on, on April 30, 1956, the United Nations established the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and

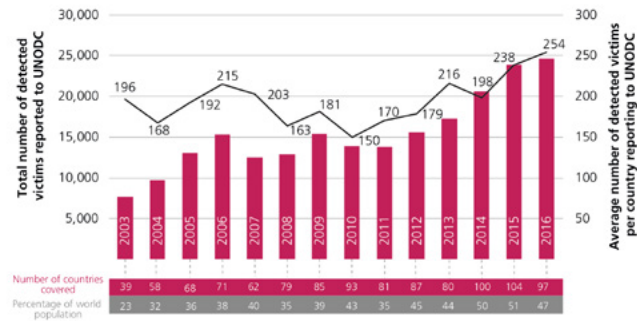
Institutions and Practices Similar to Slavery. The States Parties had the goal to reinforce what was stated on the Slavery Convention held 30 years before. Member States of the United Nations and of other agencies received a copy of such documents so that they could apply what was stated in them.

"The Polaris Project" was created in 2002, in order to protect and help slaves. It later created a 24/7 National Human Trafficking Hotline, where people, in the United

States, can inform their trauma and get support. They investigate how human trafficking works, in order to know it better and gather the information that can terminate it. In 2004, the first Mexican anti-trafficking person law was passed, in which this kind of crime was punished with 18 years of jail. Furthermore, in 2008 the Attorney General's office created the "Fiscalía Especial para Los Delitos de Violencia Contra Las Mujeres y Trata de Personas (FEVIMTRA)". Its purpose is to fight against crimes related to human trafficking and violence towards women; its members are professionally trained to fight these crimes.

A lot of people are trafficked around the world for sexual exploitation, forced labor, begging, petty crimes, removal of organs and for other exploitative purposes. Trafficking people became a global phenomenon, and between 2007 and 2010, victims from at least 136 countries were detected in 118 countries worldwide. On January 11, 2011, the former President of the United States, Barack Obama, declared January 11, as the "National Human Trafficking Awareness Day" its aim was that various aid organizations share information about human rights and human trafficking.

Trends in the total number of detected trafficking victims, average number of detected victims per country and number of reporting countries, by year, 2003-2016



Source: UNODC, elaboration of national data.

Figure 2. Trends in the total number of detected victims reported to UNODC. Adapted from “UNODC”, by UNODC, 2018, UNODC. Retrieved on March 15, 2019, from https://www.unodc.org/documents/data-and-analysis/glotip/2018/GLOTiP_2018_BOOK_web_small.pdf . Copyright 2018 by United Nations.

CURRENT RELEVANCE

Human Trafficking involves the violation of human rights. Some of these rights violated are the right to life, liberty and security, not be submitted to slavery, not be subjected to torture, freedom of movement, be free from gendered violence, an adequate standard of living, social security, among others. Nowadays, human trafficking affects worldwide, regardless of the victims’ traditions, culture, ethnicity, and other characteristics. It is usually

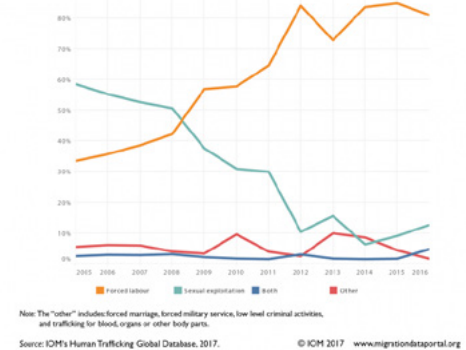
associated with human smuggling, but both activities are extremely different. Human smuggling involves paying for the travel of the victim, meanwhile, human trafficking does not involve cross-border activity and people get exploited.

The Global Report on Trafficking in Persons of 2017 estimates that 40 million people were victims of modern slavery in any given day in 2016. Out of these, approximately 25 million people were in forced labor, and another 15 million people were in a forced marriage. The work to produce this estimate includes groundbreaking survey data from more than 50 countries and it provides critical data for measuring progress on achieving Target 8.7 of the SDGs. This target states that forced labor, modern slavery, and human trafficking must be eradicated; it also includes the prohibition of child labor. (Migration Data Portal, 2019)

In 2016, sex trafficking increased, where women and girls were the most affected sector. They were victims of commercial and sexual exploitation. According to the United Nations Office on Drugs and Crime (2018), 49% of all detected victims of trafficking are women, followed by girls, with 23%. The other 21% belong to men, and 7% to boys. Women and girls are mainly trafficked for sexual exploitation, men are used for forced labor, while boys are trafficked for forced labor and sexual exploitation.

The United Nations works against Human Trafficking

Exploitation types among identified victims of trafficking, 2005-2016



with the Global Plan of Action. It was developed in 2016, and it focuses defending on human rights, mainly of women and children, and protection for the victim. The World Health Organization, along with other international organizations are part of this plan and contribute to the strengthening of health systems. Human trafficking affects everyone (men, women, children), but especially women and girls, as well as people with a lack of resources or opportunities and a developing economic level.

The United Nations annually investigates more than 100 countries regarding Human Trafficking for its Global Report on Trafficking in Persons. In the 2017 report, 23 countries were classified as Tier 3, the lowest classification for countries that "do not fully meet the Trafficking Victims Protection Act's minimum standards and are not making significant efforts to do so." (McPhillips, D. July 28th, 2017). In this chart you can see the percentage of people that had been victims of human trafficking according to the case, also you can see how the percentages increase or decrease depending the year.

Figure 3. Exploitation types among identified victims of

trafficking, 2005-2016. Adapted from "Migration Data Portal" by Migration Data Portal, 2017, Migration Data Portal.

Retrieved on March 15, 2019, from <https://migrationdataportal.org/themes/human-trafficking>
Copyright 2017 by IOM's Human Trafficking Global Database.

Every single country, depending on its constitution, has independently its own laws and judgment for human trafficking. Within this topic, is important to consider that there are a lot of approaches depending on the ethics, culture, moral, interest and many other variables that define the way countries judge this crime. Commonly the sentence is from 4 to 8 years of prison. Fines can also be applied to the ones being judged. There are also cases in which a life sentence can be given.

The United Nations Human Rights Office developed a series of Principles and Guidelines on Human Rights. It aims to help all the people who are involved in anti-trafficking works, in order to fully integrate human rights into their analysis and solutions. The document

has seventeen principles that address the following areas: protection and assistance; the primacy of human rights; preventing trafficking; criminalization; punishment; and redress.

In August 2016, countries adopted new trafficking legislation, based on the UN Trafficking in Persons Protocol. 168 countries managed to carry with such new legislations. In 2017, UNODC detected more than 100 victims of human trafficking for organ removal and the victims were principally adults, due that organs are fully developed at an advanced age. That same year, the International Organization for Migration (IOM) established a Counter- Trafficking Data Collaborative (CTDC). It was the first global data center for counter-trafficking organizations to gather information about victims of human trafficking and locate areas of opportunity for the international community.

INTERNATIONAL ACTIONS

In 2001, the Economic Community of West African States (ECOWAS) had an Initial Plan of Action against Trafficking in Persons. It was drawn up to prevent human trafficking in the countries that make up West

Africa (Ghana, Liberia, Mali, Nigeria, and Senegal, among other nations). This plan was promoted to be able to take action quickly and avoid the development of the problem, which constantly grows and affects these countries. The ECOWAS Secretariat was in charge of monitoring and coordinating such an action plan.

In 2008, the Attorney General's Office created by its name in Spanish "Fiscalía Especial para Los Delitos de Violencia Contra Las Mujeres y Trata de Personas" (FEVIMTRA). FEVIMTRA is a special prosecutor's team designated to work on crimes against women and human trafficking, the members have been receiving training from international outfits

specialized in these matters. It is composed of various programs that specialize in different conflicts and social sectors. (Shahani A. 2013)

The Austrian government takes the decision to set up the Task Force on Combating Human Trafficking in November 2004. This Task Force monitors and elaborates National plans to combat all the cases of human trafficking in the country. Also, it is going to intensify the actions against this problem and avoid

the increase in the percentage of people involved in human trafficking. The first National Action Plan was established in March 2007, the second one in May 2009, and the third one in March 2012. In December 2009, the European Council approved the Stockholm Program, in which combating human trafficking is its top priority.

Over the past 16 years, the US Congress has taken numerous legislative actions to help combat human trafficking and ensure that victims have access to needed services, such as basic resources and therapy. The Government Accountability Office (GAO) identified 105 provisions across six statutes, it called for the establishment of a program or initiative to combat human trafficking or assist its victims. GAO has worked alongside the U.S. Agency for International Development (USAID), and the Department of Labor (DOL). Together, they have helped the State to monitor more in-depth human trafficking. (U.S. Government Accountability Office, 2016)

On June 28, 2018, Taiwan demonstrated that it is a country that is trying to find new ways to fight against human trafficking. Moreover, it is part of the few countries that have the objectives and standards that

are necessary to avoid the increase of the problem. It even hosted the 2018 International Workshop on Strategies for Combating Human Trafficking (IWSCHT). Such workshop had the purpose of creating awareness and combating international human trafficking. Countries such as the United States, the United Kingdom, Japan, and Belgium participated in the workshop.

UN ACTIONS

The first protocol that stated the human trafficking world definition was the Protocol to Prevent, Suppress and Punish the Trafficking in Persons, especially women and children. It was supplemented in 2000, by the United Nations Convention, against Transnational Organized Crime. It was created as an attempt to solve the problem by a universal and congruent law against the violation of human rights; including 20 articles that talk about the prevention and legal processes that will be needed to penalize and confirm this crime.

The Convention for the Suppression of the Traffic in Persons and the Convention of the Exploitation of the Prostitution of Others were created in 1950. Their

purpose was to prevent

and eliminate the social and economic factors that lead to human trafficking, such as poverty, migration, oppression, lack of economic opportunities, and so on. This convention does not punish the act of prostitution, but it condemned its abuse and/or exploitation. This Convention counts with 28 different articles and was formed by 60 members.

Furthermore, the Universal Declaration on Human Rights (1948) is the document that contains all the Human rights. It is composed of 30 articles that state specifically the human necessities, and how they can be satisfied. They also establish how can individuals be protected, the exceptions (in some specific cases), among others. These documents established the principal characteristics of the Human Rights: they are indivisible, interdependent, inalienable, nondiscriminatory and universal, this means that they are for everybody everywhere, without any exceptions.

Another attempt made by the UN is the International Covenant on Civil and Political Rights, created in 1976. This convention shows concern in the possibilities a

person has when they can become slaves or suffer from forced labor. The main supervisor of this convention is the Office of the United Nations High Commissioner for Human Rights (OHCHR), which is in charge of making sure that the protocols are completely followed and respected by the international community.

The Convention on the Elimination of all Forms of Discrimination Against Women was developed in 1979. It does not penalize and criminalize human trafficking, but it has 99 signers worldwide and includes 30 articles. One of the most important articles is Article 6, which states: "All appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution". Member States of the Convention must submit national reports in order to see the advances made by each nation. (CEDAW, 1979).

The Declaration on the Elimination of Violence Against Women (EVAW), signed in 1994, uses stronger and clearer language than its already mentioned successor, CEDAW. This declaration states that not only murdering, violence or prostitution are forms of discrimination against women; but also, intimidation and labor inequality. This declaration counts with 6 articles. The

EVAW suggests neither a clear solution to the problem nor the collaboration of its members.

The Convention on the Rights of the Child, made in 1990, has the purpose of promoting children's rights and stop their exploitation and pornography, which is part of human trafficking. It has 54 articles and 140 signers. This convention has not accomplished all its goals, although its Member States have the obligation to give reports to this Convention,

according to article 44. The articles are written in such Convention take into account traditions and cultural values, to make sure that the individuals are protected.

Additionally, the Vienna Forum to Fight Human Trafficking made in 2008 talks about solutions, recommendations, and forms of trafficking. The purpose is to make consciousness about the issue, as well as being open to mutual help and dialogue between its members. The forum has a lot of information about different topics and also includes: "UN protocol to prevent, suppress and punish human trafficking (UN General Assembly, 2000)". New partnerships and international alliances were forged.

This forum also states that women and children are frequent victims of human trafficking. But thanks to this information the "Combating Trafficking in Persons: Handbook for Parliamentarians" (UNODC, 2009) was created. This report was created to make awareness of the problem in the civil population, it includes 8 chapters with 140 pages. In order to make more conscious of the issue, this document is supported by testimonies, statics, and international laws, among others.

In 2013, the General Assembly renewed the "Global Plan of Action to Combat Trafficking in Persons". It drove Governments of each country to take measures to defeat it. "One of the crucial provisions in the Plan is the establishment of a UN Voluntary Trust Fund for victims of trafficking especially women and children", stated by UN Secretariat (2010). This Trust Fund provides victims assistance, from governmental, intergovernmental and non- governmental associations. It calls for international cooperation, and the strengthening of ongoing programmes that fight human trafficking.

The Inter-Agency Coordination Group against Trafficking in Persons (ICAT) is a forum from the

United Nations' General Assembly. ICAT practices anti-trafficking activities, assists international organizations, as well as supporting and protecting victims of human trafficking. UNICEF, United Nations High Commissioner for Refugees (UNHCR), United Nations Peacekeeping, and INTERPOL are some of the various ICAT members. The Human Trafficking Knowledge Portal contains a Database with cases of human trafficking. It also promotes awareness about human trafficking crimes and helps to prosecute victims.

POINTS TO DISCUSS

Statics

What is the current number of countries with high levels of human trafficking?

What is the current number of victims of international human trafficking?

Which sectors are more affected by the problem? (child, woman, immigrants)

UN

What actions has the international community made for solving the problem?

What security international measures can be taken in relation to the topic?

UN actions (evolution)

Which are the current action measures taken by the UN?

Which agreements have the international community made?

Which agencies are related to the topic?

Which is the current importance of the topic on UN sessions?

Which improvements can be made in order to solve the problem by the international community?

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